

**AFFIDAVIT FOR SERVICE OF PROCESS ON THE
SECRETARY OF THE COMMONWEALTH**

Commonwealth of Virginia

Case No. 7:12-cv-00605

DEC 31 2012

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK
Circuit Court

U.S. District Court for the Western District of Virginia

Pauline R. McFarlane

v. New England Compounding Pharmacy, Inc.
d/b/a New England Compounding Center,
Medical Sales Management, Inc. and
Barry J. Cadden

TO THE PERSON PREPARING THIS AFFIDAVIT: You must comply with the appropriate requirements listed on the back of this form.

Attachments: ☒ Summons and Complaint

☐ Notice

I, the undersigned Affiant, state under oath that

- ☒ the above-named defendant ☐ Medical Sales Management, Inc. / Gregory Conigliaro (Reg. Agent)
whose last known address is ☐ same as above ☒ 697 Waverly Street, Framingham, MA 01701
1. ☒ is a non-resident of the Commonwealth of Virginia or a foreign corporation and Virginia Code § 8.01-328.1(A) applies (see NON-RESIDENCE GROUNDS REQUIREMENT on reverse).
2. ☐ is a person whom the party seeking service, after exercising due diligence, has been unable to locate (see DUE DILIGENCE REQUIREMENT ON BACK)

is the hearing date and time on the attached process or notice.

DATE

☐ PARTY ☒ PARTY'S ATTORNEY ☐ PARTY'S AGENT ☐ PARTY'S REGULAR AND BONA FIDE EMPLOYEE

State of Virginia ☒ City ☐ County of Roanoke

Acknowledged, subscribed and sworn to before me this day by

J. Scott Sexton

PRINT NAME OF SIGNATORY

DATE

LESLIE A. VIAR
NOTARY PUBLIC
REGISTRATION # 155932
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
OCTOBER 31, 2014

☐ MAGISTRATE

☒ NOTARY PUBLIC

My commission expires: 10/31/2014

☒ Verification of the date of filing of the certificate of compliance is requested and a self-addressed stamped envelope is provided.

NOTICE TO THE RECIPIENT from the Office of the Secretary of the Commonwealth of Virginia:

You are being served with this notice and attached pleadings under Section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process. The Secretary of the Commonwealth's ONLY responsibility is to mail, by certified mail, return receipt requested, the enclosed papers to you. If you have any questions concerning these documents, you may wish to seek advice from a lawyer.

SERVICE OF PROCESS IS EFFECTIVE ON THE DATE THAT THE CERTIFICATE OF COMPLIANCE IS FILED WITH THE ABOVE-NAMED COURT.

CERTIFICATE OF COMPLIANCE

I, the undersigned, Clerk in the Office of the Secretary of the Commonwealth, hereby certify the following:

DEC 21 2012

1. On _____, legal service in the above-styled case was made upon the Secretary of the Commonwealth, as statutory agent for persons to be served in accordance with Section 8.01-329 of the Code of Virginia, as amended.
2. On DEC 23 2012, papers described in the Affidavit were forwarded by certified mail, return receipt requested, to the party designated to be served with process in the Affidavit.

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